

## **Legislative Management Committee Policy on Legislative Procurement**

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In accordance with Title 63G, Chapter 6a, Utah Procurement Code, the Legislative Management Committee establishes the following rules for procurement by the Legislature, the Senate, the House of Representatives, a legislative staff office, or an office, committee, subcommittee, or other organization within the state legislative branch.

### **Part 1. General Provisions**

#### **Section 1.1. Definitions.**

As used in this policy:

(1) "Annual cumulative threshold" means the maximum total annual amount, stated in Section 2.1 of this policy, that a legislative procurement unit may expend to obtain procurement items from the same source under Utah Code Section 63G-6a-408 and Section 2.1 of this policy.

(2) "Individual procurement threshold" means the maximum amount, stated in Section 2.1 of this policy, that a legislative procurement unit may spend to purchase a procurement item under Utah Code Section 63G-6a-408 and Section 2.1 of this policy.

(3) "Legislative procurement unit" means:

- (a) the Legislature;
- (b) the Senate;
- (c) the House of Representatives;
- (d) the Office of the Legislative Fiscal Analyst;
- (e) the Office of the Legislative Auditor General;
- (f) the Office of Legislative Research and General Counsel; or
- (g) the Office of Legislative Printing, including the bill room.

(4) "Procurement item" means a supply, service, or technology.

(5) "Single procurement aggregate threshold" means the maximum total amount, stated in Section 2.1 of this policy, that a legislative procurement unit may expend to obtain multiple procurement items from one source at one time under Utah Code Section 63G-6a-408 and Section 2.1 of this policy.

(6) "Small purchase" means a procurement under Utah Code Section 63G-6a-408 and Section 2.1 of this policy.

### **Section 1.2. Designation of heads of legislative procurement units.**

For purposes of procurement under Utah Code Title 63G, Chapter 6a, Utah Procurement Code, and this policy, the following are designated as the head of the applicable legislative procurement unit:

- (1) with respect to the Legislature, the president of the Senate and the speaker of the House of Representatives;
- (2) with respect to the Senate, the president of the Senate;
- (3) with respect to the House of Representatives, the speaker of the House of Representatives;
- (4) with respect to a legislative committee, subcommittee, task force, commission, or other body, the Legislative Management Committee;
- (5) with respect to the Office of the Legislative Fiscal Analyst, the legislative fiscal analyst;
- (6) with respect to the Office of the Legislative Auditor General, the legislative auditor general;
- (7) with respect to the Office of Legislative Research and General Counsel:
  - (a) for the procurement of legal services, legislative general counsel; or
  - (b) for all other procurements, the director of the Office of Legislative Research and General Counsel; and
- (8) with respect to the Office of Legislative Printing, the manager of the Office of Legislative Printing.

## **Part 2. Procurement Provisions**

### **Section 2.1. Small purchases.**

(1) As provided in Utah Code Section 63G-6a-408 and this section, a legislative procurement unit may make a small purchase without following the bidding process described in

Utah Code Title 63G, Chapter 6a, Part 6, Bidding, or the request for proposals process described in Utah Code Title 63G, Chapter 6a, Part 7, Request for Proposals.

- (2) (a) The annual cumulative threshold for a legislative procurement unit is \$50,000.
- (b) The individual procurement threshold for a legislative procurement unit is \$25,000.
- (c) The single procurement aggregate threshold for a legislative procurement unit is \$50,000.

(3) A legislative procurement unit may make a small purchase by following whatever method the procurement officer considers to be adequate and reasonable if the small purchase is of:

- (a) a single procurement item costing no more than \$5,000; or
  - (b) multiple procurement items:
    - (i) from one source at one time;
    - (ii) none of which is estimated to cost more than \$5,000; and
    - (iii) estimated to cost in the aggregate no more than \$25,000.
- (4) (a) This Subsection (4) applies to a legislative procurement unit's purchase of:
- (i) an individual procurement item estimated to cost over \$5,000 but no more than \$25,000; or
  - (ii) multiple procurement items:
    - (A) from one source at one time;
    - (B) none of which is estimated to cost more than \$25,000; and
    - (C) estimated to cost in the aggregate over \$25,000 but no more than \$50,000.
- (b) For a small purchase described in Subsection (4)(a), a legislative procurement unit shall:
- (i) obtain at least two competitive quotes from vendors of the procurement item or items; and
  - (ii) subject to Subsection (4)(c), accept the lowest acceptable quote and purchase the procurement item or items from the responsible vendor

giving the lowest acceptable quote.

(c) Subsection (4)(b) does not prohibit a legislative procurement unit from rejecting all quotes and abandoning the small purchase.

(5) (a) A legislative procurement unit may not exceed the annual cumulative threshold, the individual procurement threshold, or the single procurement aggregate threshold unless the head of the legislative procurement unit gives written authorization to exceed the threshold.

(b) A written authorization under Subsection (5)(a) shall include the reasons for exceeding the threshold.

## **Section 2.2. Procurement requiring Legislative Management Committee approval.**

A legislative procurement unit may not purchase, or enter an agreement to purchase, a procurement item estimated to cost over \$250,000 without prior approval from the Legislative Management Committee.